

of Regents as under current law, to process and forward without change to the Department of Administration all personnel and biennial budget requests of the Veterinary Diagnostic Laboratory Board. Specify that these provisions would take effect on July 1, 2016.

[Bill Sections: 226, 579, 586, 588, 591, 866, 881, 1304, 9148(2), and 9448(1)]

Create UW System Authority

All items in this section would take effect on July 1, 2016.

1. CONVERT UW SYSTEM TO UW SYSTEM AUTHORITY

Governor: Create the UW System Authority as a public body corporate and politic on July 1, 2016, and convert the UW System to the UW System Authority on that date. Provide for all of the following related to the conversion of the UW System and the UW System Authority:

	Positions
GPR	- 18,223.61
PR	- 10,722.97
FED	<u>- 5,579.63</u>
Total	- 34,526.21

(a) current members of the Board of Regents would continue to serve as members of the Board of Regents of the UW System Authority until the expiration of the terms to which they were appointed; (b) the assets and liabilities, as determined by the DOA Secretary, of the UW System would become the assets and liabilities of the UW System Authority; (c) all UW System employees would become employees of the UW System Authority and that UW System employees who were employed by the UW System Board of Regents prior to July 1, 2016, would be eligible to transfer to state civil service positions before July 1, 2017; (d) all tangible personal property, including records, of the UW System, as determined by the DOA Secretary, would become personal property of the UW System Authority; (e) any matter pending with the UW System on July 1, 2016, would be transferred to the UW System Authority and all materials submitted to or actions taken by the UW System would be considered to have been submitted to or taken by the UW System Authority; (f) all contracts and agreements entered into the UW System that are in effect on July 1, 2016, would remain in effect and would be transferred to the UW System Authority; (g) the UW System Authority would carry out any obligations under those contracts and agreements unless modified or rescinded to the extent allowed under the contract or agreement; (h) all policies of the UW System Board of Regents in effect on July 1, 2016, would remain in effect until their specified expiration dates or until amended or repealed by the UW System Authority; and (i) all orders issued by the UW System Board of Regents in effect on July 1, 2016, would remain in effect until their specified expiration dates or until modified or rescinded by the UW System Authority.

Specify that (b), (c), and (d) above would not apply to the assets, liabilities, employees, and tangible personal property, including records, primarily related the State Laboratory of Hygiene and the Veterinary Diagnostic Laboratory as determined by the DOA Secretary. The State Laboratory of Hygiene and the Veterinary Diagnostic Laboratory would be transferred to

the Department of Agriculture, Trade, and Consumer Protection under a separate provision.

In addition, modify statutory references to the University of Wisconsin System to read "the University of Wisconsin Authority" and capitalize "Board of Regents."

[Bill Sections: 51, 52, 68, 70, 126, 131, 160, 161, 220 thru 222, 271, 309, 316, 367, 398, 421, 559, 573, 867, 868, 885, 946, 1019, 1033, 1047, 1048, 1050, 1067, 1093, 1094, 1109, 1112, 1115, 1116, 1122, 1143, 1333, 1369, 1373, 1381, 1386, 1428, 1429, 1431, 1432, 1437, 1629, 1917, 1971, 1992, 2122, 2123, 2223, 2225, 2469, 2569, 2575, 2601 thru 2604, 2608, 2624, 2626, 2627, 2698, 2701 thru 2704, 3133, 3184, 3187, 3214, 3301, 3485, 3510, 3511, 3522, 3609, 3655, 3803, 4018, 4035, 4106, 4107, 4113, 4189, 4207, 4208, 4330 thru 4332, 4351, 4454, 4632, 4723, 4724, 9148(1)(a) thru (g) and (5), and 9448(1)]

2. LEASE OF STATE-OWNED PROPERTY AND FACILITIES

Governor: Require the Board of Regents to negotiate and enter into a lease agreement for an initial period of not more than 75 years with the Secretary of the Department of Administration to lease any state-owned property or facilities required for the Board to perform its duties and exercise its powers. Specify that the lease agreement include provisions to accomplish all of the following:

a. Require the Board to pay a nominal fee to the state for leasing property and facilities under the agreement. The amount of this fee, which would be determined by the parties, should be sufficient to prevent the lease agreement from being unenforceable because of a lack of consideration.

b. Require the Board to conduct its operations in such a way that it will not adversely affect the tax exempt status of bonds issued by the state.

c. Give the state ownership of any improvements or modifications made by the Board to property or facilities leased under the agreement and any facility that the Board constructs on state-owned land.

d. Require the Board to obtain the approval of the Building Commission for any construction or renovation project involving a state-owned facility or occurring on state-owned land, if the cost of the project is at least \$760,000. This provision would apply regardless of the source of funds used to finance the project.

e. Require the Authority to make payments for principal and interest costs incurred in financing self-amortizing university facilities and to make payments under an agreement or ancillary arrangement with the Building Commission.

f. Make the Board responsible for maintenance and upkeep of the facilities and property leased under the agreement.

g. Ensure that the general management and operation of the facilities and property leased under the lease agreement are consistent with the duties and powers of the Board.

- h. Establish a mechanism for the resolution of disputes.

Provide that the Board would submit the lease agreement described above and any subsequent modification, extension, or renewal to the Joint Committee on Finance. Specify that no extension or renewal of the lease agreement could exceed a period of 75 years. Provide that the lease agreement and any modification, extension, or renewal would take effect only upon the approval of the Joint Finance Committee.

In addition, provide that the Building Commission and DOA would not have the authority to sell or lease any state-owned real property leased to the UW System Authority.

[Bill Sections: 45, 360, 362, 1178, 2601, 2698, 2701 thru 2704, and 4351]

3. CREATE A STATE SYSTEM OF HIGHER EDUCATION

Governor: As part of the statutory chapter that would establish the proposed UW System Authority, include a statement that would create a state system of higher education to be known as the University of Wisconsin System and to be provided by the University of Wisconsin System Authority. The UW System would be created in recognition of the constitutional obligation to provide by law for the establishment of a state university at or near the seat of state government, and for connecting with the same, from time to time, such colleges in as different parts of the state as the interest of education may require. The UW System would have as its purpose to: (a) enable students of all ages, backgrounds, and levels of income to participate in the search for knowledge and individual development; (b) foster diversity of educational opportunity; (c) promote service to the public; and (d) promote internal coordination and the wisest possible use of resources. As under current law, the principal office and one university of the System would have to be located at or near the seat of state government.

Under current law, in addition to (a) through (d) above, the UW System's goals include all of the following: (a) stress undergraduate teaching as its main priority; (b) offer selected professional graduate and research programs with emphasis on state and national needs; (c) make effective and efficient the use of human and physical resources; and (d) function cooperatively with other educational institutions and systems.

[Bill Sections: 1110, 1113, 1403, and 1920]

4. UW SYSTEM AUTHORITY BOARD OF REGENTS

Governor: Delete the UW System Board of Regents and create the UW System Authority Board of Regents. Provide that the UW System Authority Board of Regents would have the same membership as the UW System Board of Regents under current law except that the bill does not specify that the terms of citizen members should be staggered. As under current law, all members nominated by the Governor would be subject to the advice and consent of the Senate and vacancies would be filled in the same manner as the original appointment for the remainder of the unexpired term. As under current law, Board members would not be compensated for their service but could be reimbursed for actual and necessary expenses related to their service.

Require the Regents to elect a chairperson annually and permit the election of other officers as considered appropriate by the Board. Under current law, the Regents elect a president, vice president, and secretary annually. In addition, delete the requirement that the Board appoint a secretary to keep a faithful record of all its transactions.

Provide that no cause of action may rise against, and no civil liability could be imposed upon, a Regent for any act or omission in the performance of his or her powers and duties under Chapter 36 (University of Wisconsin System Authority) of state statutes. This provision would not apply if the person asserting the liability proves that the act or omission constitutes willful misconduct.

Delete the Board of Regents staff that is provided by the Department of Administration (DOA). Under current law, DOA is required to provide two unclassified full-time equivalent positions to staff the Board of Regents.

In addition, modify a current law to require that the Board provide in its operating policies for access to the Board by the public, faculty, students, and employees, instead of by the public, faculty, students, and chancellors as under current law.

[Bill Sections: 106, 108, 120, 224, 225, 230, 233, 307, 1112, 1114, 1124, and 1172]

5. GENERAL RESPONSIBILITIES OF THE BOARD OF REGENTS

Governor: Provide that the responsibility for governance of the UW System be vested in the Board of Regents which would: (a) adopt policies and procedures for governing the UW System; (b) plan for the future needs of the state, including workforce needs, for university education; (c) ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers; and (d) provide affordable access to high-quality postsecondary, graduate, and doctoral education. Provide that the Board would possess all powers necessary or convenient for the operation of the UW System and the implementation of Chapter 36 (University of Wisconsin System Authority), including the following powers in connection with its projects and program, in addition to all other powers granted by that Chapter: (1) the power to sue and be sued, to have a seal and to alter the seal at pleasure, to have perpetual existence, to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Board, to contract for legal services, and to make, amend, and repeal bylaws; and (2) the power to accept gifts, loans, and other aid.

This differs from current law in that: (a) the Regents would adopt policies and procedures for governing the UW System instead of enacting policies and promulgating rules for the same purpose; (b) statutes would explicitly define "needs of the state" to include workforce needs; (c) language requiring the Regents to promote the widest degree of institutional autonomy within the controlling limits of systemwide policies and priorities established by the Board would be deleted; (d) language requiring the Board to provide affordable access to high-quality postsecondary, graduate, and doctoral education would be added; (e) cross-references to the authority of the State Building Commission and the Department of Administration to sell or lease state-owned property would be deleted; (f) the Board would have all powers necessary or

convenient for the implementation of the chapter in addition to the operation of the UW System; and (g) the Board would be granted additional powers as specified in (1) and (2) above.

With regard to the acceptance of gifts, delete all of the following: (a) language prohibiting the Board of Regents from accepting any gift, grant, or bequest of real property with a value of more than \$150,000 or any gift, grant, or bequest of a building or structure that is constructed for the benefit of the UW System or any UW institution without prior approval of the Building Commission; (b) language specifically allowing the Board of Regents to accept a gift of a motor vehicle; (c) language limiting the amount of income that may be accumulated related to a gift to the UW System to 20 times the amount of the original gift; (d) language prohibiting the Board from investing more than 85% of trust funds held by the Board in common stock; and (e) language specifying that gifts should not knowingly be invested in companies that discriminate on the basis of race, religion, color, creed, or sex.

[Bill Sections: 23, 249, 1125 thru 1127, 1149, 1150, 1275, and 3804]

6. ESTABLISH UW SYSTEM MISSION

Governor: Establish the UW System mission as being to develop human resources to meet the state's workforce needs; to discover and disseminate knowledge; and to develop in students heightened intellectual, cultural, and human sensitivities, scientific, professional, and technological expertise, and a sense of purpose.

Under current law, the mission of the UW System is as follows: "to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses and to serve and stimulate society by developing in students heightened intellectual, cultural and humane sensitivities, scientific, professional and technological expertise and a sense of purpose. Inherent in this broad mission are methods of instruction, research, extended training and public service designed to educate people and improve the human condition. Basic to every purpose of the system is the search for truth."

[Bill Section: 1111]

7. INSTITUTIONAL MISSIONS AND EDUCATIONAL PROGRAMS

Governor: Provide that the Board may, after a public hearing at an institution, establish for the institution a mission statement delineating specific program responsibilities and types of degrees to be granted. Provide that the Board would determine the educational programs to be offered in the UW System and may discontinue educational programs as it deems necessary. Provide that the Board would establish policies to guide program activities to ensure that they are compatible with the mission of the institutions of the UW System.

This differs from current law in that: (a) the establishment of institutional mission statements is made optional instead of being required; and (b) a requirement that the Board make all reasonable effort to provide night courses is deleted.

[Bill Section: 1130]

8. REPRESENTATION BY THE ATTORNEY GENERAL

Governor: Provide that Department of Justice would provide the following services to the Board of Regents of the UW System Authority and to any official, employee, or agent of the Board of Regents: (a) appear and prosecute or defend all actions and proceedings, civil or criminal, in the Court of Appeals and the Supreme Court, in which the Board is a party or has an interest, and attend to and prosecute or defend all civil cases sent or remanded to any circuit court, in which the Board is a party; (b) as requested by the Governor or either house of the Legislature, appear for and represent the Board of Regents or any official, employee, or agent thereof, whether required to appear as a party or witness in any civil or criminal matter, and prosecute and defend in any court or before any officer, any cause or matter, civil or criminal in which the Board or the people of this state have an interest; (c) as requested by the Board of Regents or UW System chief executive officer, the Attorney General may appear for and defend the Board of Regents or any officer, employee, or agent thereof in any civil action or other matter brought before a court or an administrative agency which is brought against the Board, officer, employee, or agent for or on account of any act growing out of or committed in the lawful course of an officer's, employee's, or agent's duties; and (d) as requested by the Board of Regents or the UW System chief executive officer, the Attorney General may appear for and represent any Board official, employee, or agent who is required to appear as a witness in any administrative or civil matter. These provisions would not apply if the state and the Authority were adverse parties. These services would be the same as those provided to the UW System as a state agency under current law except that under the bill the Attorney General would not prosecute or defend the UW System Authority at the request of the Board of Regents or the UW System chief executive officer in actions stemming from breach of contract and would not have the authority to compromise and settle an action involving the UW System Authority described in (c) above as he or she determines to be in the best interest of the state.

[Bill Sections: 796, 3502, and 3503]

9. ADMINISTRATIVE RULES, POLICIES, AND PROCEDURES

Governor: Authorize the UW System Authority Board of Regents to promulgate rules in the following areas in which the UW System Board of Regents is authorized to promulgate rules under current law: (a) to protect the lives, health, and safety of persons on property under the jurisdiction of the Board, to protect such property, and to prevent obstruction of the functions of the UW System; and (b) for the management of all property under its jurisdiction, for the care and preservation thereof, and for the promotion and preservation of the orderly operation of the UW System in any or all of its authorized activities and in any or all of its institutions. Require the UW System Authority Board of Regents to promulgate rules governing the times, places, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls as the UW System Board of Regents is required to do under current law. Provide that rules promulgated by the UW System Board of Regents in these areas that are in effect on July 1, 2016, would remain in effect until their specified expiration date or until amended or repealed by the UW System Authority Board of Regents.

Provide that current law regarding administrative rules would apply to the UW System Authority and that rules promulgated by the UW System Authority Board of Regents would be included in the Wisconsin administrative register and be part of the Wisconsin Administrative Code. Provide that the exclusive means of judicial review of the validity of rules promulgated by the UW System Authority would be an action for declaratory judgment as to the validity of the rule brought in circuit court. Additional provisions regarding judicial review of administrative rules that apply to rules promulgated by state agencies would not apply to rules promulgated by the UW System Authority.

Delete the current law provision allowing the Board of Regents to use statutory citation procedures to recover forfeitures resulting from a violation of rules promulgated by the Regents under (b) above.

Provide that the UW System Authority Board of Regents would adopt policies and procedures, instead of promulgate rules as the UW System Board of Regents is required to do under current law, in the following areas: (a) the definition of continuation or termination of student status during periods between academic periods; (b) governance of the system, planning for the future needs of the state, including workforce needs, for university education, ensuring the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers, and providing affordable access to high-quality postsecondary, graduate, and doctoral education; (c) related to conflicts of interest; (d) paid sick leave; (e) student conduct and the administration of violations; (f) accommodation of religious beliefs with regard to examinations and other academic requirements; and (g) food services plans for elderly persons. Specify that policies and procedures related to sick leave would not be required to include a provision allowing employees to accumulate unused sick leave. In addition, provide that the Board may adopt policies and procedures, instead of promulgate rules as under current law, related to granting preference in housing to Wisconsin residents.

Provide that policies or procedures adopted by the Board of Regents would not be subject to current law regarding the promulgation of administrative rules. Modify current law permitting the Board of Regents to obtain injunctive relief to enforce Chapter 36 of state statutes (University of Wisconsin System Authority) and any rules promulgated by the Board to also permit the Board to obtain injunctive relief to enforce policies and procedures adopted by the Board. In addition, delete references in a separate chapter to UW System rules and the promulgation of rules by the Board.

[Bill Sections: 1108, 1123, 1127, 1144, 1145, 1147, 1148, 1154, 1215, 1216, 1276, 1284, 1290, 1291, 1298, 1972, 1973, 3574, 3576, 4608, and 9148(1)(h)]

10. PARKING RULES, FEES, AND FINES

Governor: Provide that the UW System Authority Board of Regents could promulgate rules regarding the removal and disposal of abandoned vehicles and could make general policies and authorize chancellors to adopt rules regulating the parking of motor vehicles on property under their jurisdiction, as under current law. Provide that any such rules adopted by the UW System Board of Regents or chancellors that are in effect on July 1, 2016, would remain in effect

until their specified expiration date or until amended or repealed by the UW System Authority Board of Regents. Delete language specifying that parking fines imposed for violations of parking rules be used only for the purpose of developing and operating parking or other transportation facilities at the institution at which collected and for enforcing parking rules.

Delete language requiring the Board of Regents to direct each institution to charge parking fees and the specification that these fees be sufficient to recover the costs of the construction and maintenance necessary for parking facilities.

[Bill Sections: 1159, 1160, 4333, and 9148(1)(h)]

11. LOBBYING

Governor: Provide that the UW System Authority would be treated as a state agency for the purpose of state law regarding lobbying. Under current law, state agencies are not required to register with, or submit expense statements to, the Government Accountability Board (GAB). State agencies are required to annually submit by January 31 and July 31 a statement to the GAB identifying the officers and employees of that agency whose duties include attempting to influence legislative action. Agency officers and employees are not required to apply to the GAB for a lobbyist license. In addition, current law specifies that the following actions are not considered to be lobbying when taken by a state agency: (a) providing requested information to a legislator or legislative committee; (b) lobbying of an official of a different agency; and (c) requesting information from a person or providing requested information to a person.

In addition, delete a current law provision permitting UW System officers and employees to accept items of pecuniary value from an association, corporation, limited liability company, partnership, or other entity that employs a lobbyist, for service as a member of the governing board of that association, corporation, limited liability company, partnership or entity. The current law provision specifies that the value of such items must not exceed the value of such items provided to other members of the governing body for the same service.

[Bill Sections: 60 and 61]

12. ESTABLISH ANNUAL BUDGETS

Governor: Provide that the Board would establish the Authority's annual budget and monitor the fiscal management of the Authority. Provide that the Board would allocate funds and adopt budgets for the respective institutions. Specify that if the Board ceases or suspends operation of any institution or UW Colleges campus, any appropriation to the Board for operation of the institution or UW Colleges campus could be utilized by the Board for any other purpose authorized by the appropriation within the period for which it was made. Require the Board to provide the Secretary of the Department of Administration with such financial and statistical information as is required by the Secretary.

This differs from current law in that: (a) the Board would be required to establish an annual budget and monitor the fiscal management of the Authority; (b) current law requiring the

Board to give consideration to the principles of comparable budgetary support for similar programs and equitable compensation for faculty and academic staff with comparable training, experience, and responsibilities and recognizing competitive ability to recruit and retain qualified faculty and academic staff in adopting the budgets for respective institutions would be deleted; and (c) the requirement that the Board provide the DOA Secretary with the above information would be added.

[Bill Section: 1134]

13. GPR FUNDS PROVIDED QUARTERLY

Governor: Provide that beginning on July 1, 2016, the DOA Secretary would make quarterly payments to the UW System Authority in an amount equal to one-quarter of the UW System Authority's GPR appropriation for general program operations. Specify that the DOA Secretary would only make such payments if the UW System Authority had made the payments due under its lease agreement with the state, the payments due for municipal services, and any other payments for any obligation otherwise due to the state.

In addition, provide that Joint Committee on Finance would have the authority to reduce the GPR general program operations appropriation for the UW System Authority as an emergency measure in the case of decreased state revenues. Under current law, this provision applies to the appropriations of all state boards, commissions, and departments, and to the UW System, with certain appropriations being exempt from any reduction.

[Bill Sections: 13 and 241]

14. FUTURE GPR FUNDING LEVELS

Governor: Provide that \$753,533,000 in general sales and use taxes would be used to fund the amount shown in the appropriations schedule for the UW System Authority's GPR general program operations appropriation in 2017-18. Provide that, beginning in 2018-19, the amount of general sales and use taxes used to fund the amount shown in the schedule for the UW System Authority's GPR general program operations appropriation would be the amount used for that purpose in the previous year adjusted to reflect any changes in the U.S. consumer price index for all urban consumers (CPI-U) for the 12 month period ending on the preceding December 31.

It should be noted that while it appears that the Governor's intention is to provide \$753,533,000 GPR to the UW System Authority in 2017-18 and to provide that amount adjusted by CPI-U in future years, under the bill the amount of GPR funding that the UW System Authority would receive would be the amount shown in the appropriation schedule. If the Legislature wishes to accomplish the Governor's intent, it should also modify the appropriation language under Chapter 20 of the statutes.

In addition, the amount of general sales and use tax revenue that the Governor's budget would provide to the UW System Authority in 2017-18 would be \$21,313,500 less than the

\$774,846,500 GPR that would be appropriated to Authority in 2016-17 under the bill. When combined with the \$128,686,500 proposed GPR base budget reduction in 2016-17, this would result in an ongoing GPR base budget reduction of \$150,000,000 for the UW System Authority.

[Bill Section: 2526]

15. BIENNIAL BUDGET REQUESTS

Governor: Require the UW System Authority to submit a budget request to the Department of Administration and the Legislative Fiscal Bureau by September 15 of each even-numbered year, as the UW System is required to do as a state agency under current law. Delete language requiring the Board to specify the anticipated completion date of all research and public service projects for which the Board requests state general purpose revenue in its biennial budget request.

[Bill Sections: 272 and 1294]

16. DEPOSIT OF CASH BALANCES IN THE LOCAL GOVERNMENT POOLED-INVESTMENT FUND

Governor: Require the UW System Authority to transfer daily to the State Treasurer for deposit into the local government pooled-investment fund, which is invested in the state investment fund, the collected net cash balance from all sources except auxiliary enterprises, segregated fees accumulated for building projects, and gifts, grants, and donations. Under current law, UW System cash balances are deposited in a separate account in the state investment fund.

In addition, delete a current law provision specifying that the State Treasurer acts as the treasurer of the Board of Regents.

[Bill Sections: 856, 1025, 1027, and 1124]

17. APPLICATION FOR AND ACCEPTANCE OF FEDERAL FUNDS

Governor: Delete the requirement that the Board of Regents report to the Governor and the Co-Chairpersons of the Joint Committee on Finance annually, by October 1, the date, amount, and purpose of any federal moneys accepted by the Board for instruction, extension, special projects, or emergency employment in the preceding fiscal year.

Under current law, the Governor accepts federal funds on behalf of the state except that the Board of Regents is permitted to accept federal moneys on behalf of the state for the purposes listed above. Current law also exempts the UW System from a requirement that agencies submit plans, budgets, applications, and proposals required by federal agencies as a precondition to the receipt of federal funds to the Governor for approval prior submitting such

materials to federal agencies. Under the bill, the Board of Regents would continue to have the authority to accept certain federal funds on behalf of the state and to submit plans, budgets, applications, and proposals to federal agencies without prior approval of the Governor.

Provide that the UW System Authority would not be subject to the statewide indirect cost allocation plan developed by the Department of Administration (DOA) and would not be required to prepare an individual, specific, indirect cost allocation plan at the request of DOA. The UW System Authority would also not be required to use the procedures prescribed by DOA to allocate and charge central services costs to selected federal grants and contracts and would also not be limited in its use of indirect cost reimbursements. In addition, a current law provision requiring state agencies to notify the State Auditor prior to accepting a federal grant that may involve the provision of auditing services by the Legislative Audit Bureau would not apply to the UW System Authority.

Provide that the UW System Authority would not be required to do the following: (a) notify DOA and the Joint Committee on Finance of federal disallowances of more than \$10,000; (b) submit quarterly reports to the DOA Secretary regarding such federal disallowances; and (c) submit for approval by the DOA Secretary a proposal to resolve such a disallowance. Under current law the UW System as a state agency is required to do all of the above with regard to federal disallowances except that the UW System can resolve federal disallowances of less than \$5,000 without prior approval by the DOA Secretary of a proposal to do so.

[Bill Sections: 232, 302, and 304 thru 306]

18. EXEMPTION FROM PROPERTY, CORPORATE, AND SALES AND USE TAXES

Governor: Exempt all property owned by the UW System Authority and all property leased to the UW System Authority by the state from property tax provided that the use of the property is primarily related to the purposes of the Authority. In addition, provide that the UW System Authority would be exempt from the state's corporate income tax and sales and use taxes.

[Bill Sections: 2036, 2239, and 2524]

19. PAYMENT OF MUNICIPAL SERVICES

Governor: Beginning July 1, 2016, require the UW System Authority to make payments for municipal services provided to facilities of the Authority that are exempt from property tax. Under current law, the Department of Administration makes payments for municipal services on behalf of the UW System from a GPR appropriation for that purpose. Delete language specifying that resident tuition revenue not be used for the payment of municipal services. In addition, require the UW System Authority to pay DOA its proportionate share of the negotiated payments for municipal services for municipal services provided to the UW System in the 2015-16 fiscal year prior to July 1, 2017.

As under current law, DOA, which has primary responsibility for the negotiation of

municipal services payments, may delegate certain responsibilities for the negotiation of those payments to the UW System Authority. Municipalities would continue to be prohibited from withholding services to the UW System Authority during these negotiations.

[Bill Sections: 865, 2046, 2047, 2049 thru 2055, 9148(1)(i), and 9448(3)]

20. PAYMENT FOR EXTRAORDINARY POLICE SERVICES

Governor: Provide that the UW System Authority would pay for extraordinary police services provided to facilities owned by the Authority or leased from the Authority by the state. Under current law, the state pays for extraordinary police services provided to UW facilities.

[Bill Sections: 244 and 2036]

21. EMPLOYMENT BY THE UW SYSTEM AUTHORITY BOARD

Governor: Provide that the Board may employ any agent or employee that the Board finds necessary and shall appoint the state geologist, the director of the psychiatric institute, and the state cartographer. In addition, require the Board of Regents to appoint and fix the compensation of a chief executive officer of the UW System Authority who would serve at the pleasure of the Board.

Under current law, the Board is required to appoint all of the following in addition to the four specific positions listed above: (a) a president of the system; (b) a chancellor of each institution; (c) a dean for each college campus; (d) the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the UW System; (e) faculty; (f) academic staff; and (g) other employees. The Board is also required to fix the term of office for each employee appointed and to fix the duties and the salaries, subject to statutory limitations, of all appointed employees and the vice presidents, associate vice presidents, and assistant vice presidents of the UW System. (Under current law, UW System vice presidents, associate vice presidents, and assistant vice presidents are appointed by the UW System President, not the Board of Regents.)

In addition, delete current law that would take effect on July 1, 2015, which would designate the UW System and the UW-Madison Chancellor as the appointing authority for positions.

[Bill Sections: 925, 926, 1112, and 1131]

22. PERSONNEL SYSTEMS

Governor: Require the Board of Regents to develop and implement a personnel structure and other employment policies for all employees of the UW System Authority. Specify that the UW System Authority would not be subject to state law regarding employment relations or to oversight by the Director of the Office of State Employment Relations (the administrator of the

Division of Personnel Management in the Department of Administration under the bill).

Delete language authorizing the Board of Regents and the UW-Madison Chancellor to develop personnel systems for all UW System employees. Under current law these personnel systems are required to include the following: (a) salary ranges for the UW System President, UW System senior, associate, and assistant vice presidents, chancellors, vice chancellors, assistant chancellors, assistant and associate vice chancellors, and administrative directors and associate directors of physical plant, general operations and services, and auxiliary enterprises; and (b) a civil service system, a grievance procedure that addresses employee terminations, and provisions that address employee discipline and workforce safety.

[Bill Section: 1131, 1207, 3577, 3625, 3627, 3779, 3786, and 3787]

23. EMPLOYEE PARTICIPATION IN WRS AND GROUP HEALTH AND SALARY DEDUCTIONS

Governor: Provide that the UW System Authority would be considered a state agency for the purpose of employee participation in the Wisconsin retirement system, group health insurance, and other benefit programs administered by the Department of Employee Trust Funds. Provide that the UW System Authority, and other state authorities, would be required to make payments to the state related to pension obligation bonds issued by the state, and that the Secretary of the Department of Administration (DOA) could require direct payments to the state by state agencies, including authorities, rather than lapses or transfers. Under current law, the DOA Secretary transfers amounts from the appropriations of the UW System and all state agencies to fund principal and interest payments related to pension obligation bonds. In addition, delete language requiring the Board of Regents to permit employees to accumulate unused sick leave.

Provide that any UW System Authority employee may request in writing to have part of his or her salary deducted and paid by the Authority to a designated payee for the following purposes: (a) purchase of savings bonds; (b) payment of amounts owed by the employee to the Authority, a state agency, or the UW Hospitals and Clinics Authority; (c) payment of child support, maintenance payments, or family support; (d) payment of premiums for group hospital and surgical-medical insurance or plan, group life insurance, and other group insurance where such insurance or plans are provided and approved by the group insurance board; (e) other group or charitable purposes approved by the Governor and DOA; (f) payment into an employee-funded reimbursement account maintained by an employee-funded reimbursement account provider; or (g) payment into a health savings account. In addition, an employee of the Authority may request in writing that a specified part of his or her salary be deferred under a deferred compensation plan. Provide that the UW System Authority would be responsible for making deductions from an employee's salary if a portion of that employee's income has been assigned to child support or maintenance payments. Under current law, the UW System may make deductions from an employee's salary for the purposes described above due to its status as a state agency.

Delete current law that specifically permits the Board to make salary reductions related to

deferred compensation programs and the purchase of annuities for employees and to deduct contributions from the salaries of football coaches for a pension plan. Delete current law permitting the Secretary of the Department of Administration to require the appropriate UW System payroll processing center to process forms, papers, deductions, checks, and drafts related to the garnishment of the earnings of UW employees.

[Bill Sections: 293 thru 295, 903 thru 912, 1165, 1166, 1276, 1385, 1388 thru 1390, 1396, 1397, 1404, 1405, 1409, and 1415]

24. AUTHORITY TO SET EMPLOYEE SALARIES

Governor: Delete current law requiring the Director of the Office of State Employment Relations (OSER) to submit pay plan recommendations for UW faculty and academic staff to the Joint Committee on Employment Relations (JCOER) and delete UW System pay plan supplemental appropriations. Under the bill, JCOER would not approve a compensation plan for UW employees and the UW System Authority would not receive pay plan supplements.

Delete current law prohibiting the Board of Regents from increasing salaries for unclassified employees other than as provided in the pay plan approved by JCOER or to correct salary inequities, fund job reclassifications or promotions, or recognize competitive factors. Delete the requirement that the Board report annually to the Joint Committee on Finance, the DOA Secretary, and the OSER Director regarding the amounts of salary increases granted to recognize competitive factors.

In addition, delete the requirement that the Board of Regents establish salaries for unclassified employees, other than new appointments, prior to July 1 of each fiscal year.

[Bill Sections: 279, 280, 859 thru 864, 932, 943 thru 945, 1137, 1299, 3695, 3697, and 3699]

25. GPR POSITION AUTHORITY AND REPORTING

Governor: Delete current law restrictions on the ability of the UW System Board of Regents and the UW-Madison Chancellor to create or abolish positions funded from revenues appropriated under the UW System's GPR appropriation for general program operations. Under current law, the UW System Board of Regents and the UW-Madison Chancellor have the authority to create or abolish positions funded with revenues from any appropriation other than the UW System's GPR appropriation for general program operations. Under the bill, the Board of Regents would have the authority to employ any agent or employee that it finds necessary. The UW-Madison Chancellor would not have this authority.

Delete statutory language stating that is the intent of the Legislature that the UW System provide position and other information to DOA and the Legislature to facilitate accountability for and trace each position over time.

[Bill Sections: 237, 273, 274, 276 thru 278, 281, and 282]

26. DELETE LANGUAGE RELATED TO FACULTY TENURE AND PROBATIONARY APPOINTMENTS

Governor: Delete the definition of a "tenure appointment" and language establishing the conditions under which the Board of Regents may grant a tenure appointment to a faculty member. Delete current law specifying that a person who has been granted tenure may be dismissed only for just cause and only after due notice and hearing.

In addition, delete the definition of "probationary appointment" and provisions limiting the length of such an appointment to seven years.

[Bill Section: 1209]

27. DELETE PROCEDURAL GUARANTEES FOR FACULTY AND ACADEMIC STAFF

Governor: Delete current law specifying that academic staff members may only be dismissed for just cause and only after due notice and hearing. Delete language establishing certain positions as limited appointments and providing that a person who has been granted tenure or who holds an academic staff appointment does not lose that appointment by accepting a limited appointment. Delete provisions allowing the Board of Regents to make fixed term appointments for student assistants and employees-in-training and specifying that persons in those positions do not have the same procedural guarantees as faculty and academic staff members.

Delete language permitting the Board of Regents to terminate faculty and academic staff members in the case of a financial emergency. Delete language prohibiting the Board from employing a person within two years to perform reasonably comparable duties to those of a person whose appointment was terminated due to a financial emergency without first offering such person a reappointment.

[Bill Sections: 1211 thru 1214, 1402, and 3806 thru 3809]

28. COLLECTIVE BARGAINING FOR CERTAIN EMPLOYEES

Governor: Provide that the UW System Authority would be subject to the municipal employment relations law, instead of the state employment labor relations law as under current law, and delete all references to the UW System and UW System and UW-Madison employees under the state employment labor relations law. Provide that the Board of Regents would be required to adopt a resolution if the UW System Authority wishes to increase the total base wages of UW employees who are part of a collective bargaining unit by a percentage amount that exceeds the percentage increase in the consumer price index. Provide that this resolution would not take effect unless it is approved in a referendum.

Specify that the rights of municipal employees would not extend to academic staff, faculty, and police officers employed by the UW System Authority. These rights include the right to self-organization; to form, join, or assist labor organizations; to bargain collectively through

representatives of their own choosing; and to engage in lawful, concerted activities for the purpose of collectively bargaining or other mutual aid or protection. Under current law, UW System faculty and academic staff do not have the right to collectively bargain.

[Bill Sections: 1981, 3136, 3137, 3140 thru 3142, 3144 thru 3147, 3149 thru 3151, 3153, 3155, 3157 thru 3161, 3163 thru 3166, 3170, 3173 thru 3175, and 3177 thru 3179]

29. CODE OF ETHICS

Governor: Provide that the president and members of the Board of Regents, the UW System president, vice presidents, associate and assistant vice presidents, and the chancellors and vice chancellors of all UW System institutions would continue to be required to file statements of economic interests with the Government Accountability Board as under current law. Individuals holding these positions would also continue to be required to conform to the standards of conduct for public officials.

In addition, provide that the Board of Regents would be required to establish a code of ethics for UW System personnel other than those listed above, as under current law. In contrast to current law, UW System personnel who are not considered public officials would be exempt from potential fines and imprisonment for intentionally violating the code of ethics adopted by the Board of Regents under the bill.

[Bill Sections: 455, 457, 459, 460, 463, 465, 466, and 472]

30. CIVIL LIABILITY OF UW EMPLOYEES

Governor: Limit the amount recoverable by any person or entity for any damages, injuries, or death in any civil action or civil proceedings against an officer or employee of the UW System Authority to \$250,000. Specify that no punitive damages may be allowed or recoverable in any such action.

Provide that the UW System Authority would pay the amount of any judgment or costs against an officer or employee of the UW System Authority in excess of any applicable insurance. This provision would apply if the following conditions are met: (a) the defendant in any action or special proceeding is an officer or employee of the UW System Authority; (b) the defendant is proceeded against in an official capacity or due to acts committed while carrying out duties as an officer or employee of the UW System Authority; and (c) the jury or court finds that the defendant was acting within the scope of employment. Specify that these provisions, except the \$250,000 limit, would not apply to an action or proceeding by the state against an officer or employee of the UW System Authority.

In addition, provide that the UW System Authority would not be treated as a political corporation for the purpose of current law regarding claims against governmental bodies, officers, and employees.

[Bill Sections: 4633 thru 4641]

31. SABBATICAL LEAVE

Governor: Delete provisions authorizing the Board of Regents to grant sabbatical leave to instructional faculty. Under current law, the Board may grant sabbatical leave of up to one year to faculty members who have completed six or more years of full-time instructional service. Current law limits sabbatical leave to one leave for each six years of full-time instructional service.

Provide that the Board of Regents would determine which members of the faculty are on sabbatical for the purpose of contributions to the Wisconsin Retirement System.

[Bill Sections: 1167 and 1382]

32. LIMITS ON DUAL EMPLOYMENT

Governor: Provide that the UW System Authority would be subject to current law limits regarding dual employment. Under current law, an individual who is employed in a full-time position is prohibited from holding any other position with a state agency or authority created by state law for which the individual receives more than \$12,000 in compensation in a year. This provision does not apply to additional compensation received by UW System employees from the UW System for work performed in addition to their regular duties.

[Bill Section: 270]

33. UW EMPLOYEES NOT COVERED BY STATE WHISTLEBLOWER LAW

Governor: Provide that UW System Authority employees would not be covered by a current law provision allowing a state employee to bring an action in circuit court against his or her employer if the employer retaliates against the employee for lawfully disclosing information that demonstrates one of the following: (a) a violation of any state or federal law, rule, or regulation; and (b) mismanagement or abuse of authority in state government, a substantial waste of public funds, or a danger to public health and safety.

[Bill Section: 3797]

34. SERVICE BY EMPLOYEES AS ELECTION OFFICIALS

Governor: Require the UW System Authority to permit each of its employees to serve as an election official without loss of fringe benefits or seniority privileges earned for scheduled working hours during election days, without loss of pay for scheduled working hours during election days, and without any other penalty. Provide that any amount of compensation an employee receives for serving as an election official while on such paid leave should be deducted from his or her salary and authorize the UW System Authority to make such deductions. Under current law these provisions apply to all state agencies including the UW System.

[Bill Sections: 8 and 913]

35. FREQUENCY OF PAYMENT OF EMPLOYEES

Governor: Specify that a current law provision requiring that employers pay every employee at least monthly would not apply to UW System Authority employees. Under current law this provision does not apply to UW System unclassified employees.

[Bill Section: 3133]

36. ABILITY TO HOLD, SELL, AND LEASE PROPERTY

Governor: Provide that, subject to its lease agreement with the state, the Board may purchase, have custody of, hold, control, possess, lease, grant easements and enjoy any lands, buildings, books, records, and all other property of any nature which may be necessary and required for the purposes, objects, and uses of the UW System authorized by law. Provide that the Board may sell or dispose of any property owned by the UW System Authority when in its judgment it is for the best interest of the UW System and the state.

Delete current law requiring the Board to deposit a sufficient amount of the proceeds from the sale of property in the bond and security redemption fund to repay the outstanding principal and interest related to the property sold if there is outstanding debt related to that property. Delete provisions specifying that the net proceeds of the sale of property other than property received as a gift, financed with gifts, or financed with federal revenues, be deposited in the UW System's program revenue appropriation for general program operations. This appropriation would be deleted under the bill.

[Bill Sections: 1146, 1281, and 4351]

37. AUTHORITY TO ISSUE BONDS

Governor: Provide that the UW System Authority could issue bonds for any corporate purpose. Specify that all bonds would be negotiable for all purposes, notwithstanding their payment from a limited source. Specify that all bonds issued by the Authority would be payable solely from the funds pledged for their payment in accordance with the bond resolution authorizing their issuance or in any trust indenture or mortgage or deed of trust executed as security for the bonds.

Specify that bonds issued by the Authority would not be debt of the state and that the state would not be liable for such bonds. Require that all bonds issued by the Authority would contain a statement to this effect on their face. Provide that a bond issue would not obligate the state or a political subdivision to levy a tax or make any appropriation to pay the bonds. Specify that nothing in these disclaimers would prevent the Authority from pledging its full faith and credit to the payment of these bonds.

Provide that the state would pledge not to limit or alter the rights vested in the Authority before the Authority has fully met and discharged the bonds, and any interest due on the bonds, and has fully performed its contracts, unless adequate provision is made by law for the protection

of the bondholders or those entering into contracts with the Authority.

Provide that the following entities may invest in bonds issued by the UW System Authority: counties, cities, villages, town school districts, drainage districts, technical college districts, or other governing boards; the Board of Commissioners of Public Lands; the State of Wisconsin Investment Board; banks, trust companies, savings banks or institutions, savings and loan associations, credit unions or investment companies, or personal representatives, guardians, trustees, or other fiduciaries.

[Bill Sections: 1005, 1010, 1151, 1152, 1990, and 3565]

38. OVERSIGHT BY THE STATE BUILDING COMMISSION

Governor: Provide that only UW System Authority building projects that are financed with general purpose revenues would require prior approval by the Building Commission. Provide that the Building Commission's biennial recommendations regarding the long-range state building program would include building projects proposed by the UW System Authority. Delete the requirement that the Board establish a process for the submission of building projects to the Building Commission for approval and delete language prohibiting the Board from submitting projects to the Building Commission for approval unless those projects have been developed and approved by the Board using that process.

Provide that the sale or lease of state-owned residence halls for the purpose of alternate use to another state agency or nonstate, nonprofit agency by the Board of Regents would require the approval of the Building Commission as under current law.

Delete current law prohibiting the Board of Regents from accepting any gift, grant, or bequest of real property with a value of more than \$150,000, or any gift, grant, or bequest of a building or structure that is constructed for the benefit of the UW System or any UW institution, without prior approval by the Building Commission. Delete provisions specifying that all purchases of real property by the Board of Regents are subject to approval by the Building Commission.

Delete language prohibiting the Board from permitting a facility that would be privately owned or operated to be constructed on state-owned land without prior approval of the Building Commission. Under the terms of the lease between the state and the UW System Authority, the Board of Regents would be required to obtain approval from the Building Commission for any construction or renovation project involving a state-owned facility or occurring on state-owned land if the cost of the project is at least \$760,000 regardless of fund source.

Delete current law prohibiting the Board of Regents from designating any part of a state building project that requires approval by the Building Commission as a separate building project.

[Bill Sections: 23, 30, 34, 41, 48, 1146, 1176, 1178, and 1200]

39. DOA INVOLVEMENT IN UW SYSTEM AUTHORITY BUILDING PROJECTS AND LEASES

Governor: Provide that the Department of Administration (DOA) would do all of the following but only with regard to UW System Authority building projects that are financed, in whole or in part, with state GPR: (a) review and approve plans and specifications; (b) periodically review progress; and (c) take charge of and supervise all engineering and architectural services. DOA would not do (a) through (c) for UW System Authority building projects that are financed entirely with funds other than state GPR. In addition, DOA would not approve the appointment of a principal engineer or architect for any UW System Authority projects, including those funded with state GPR, and would not furnish engineering, architectural, project management, and other building construction services to UW System Authority projects.

Provide that DOA would conduct the bidding process for UW System Authority building projects if the cost of the project is more than \$760,000 and the project is not funded entirely with gifts and grants. Specify that if DOA conducts the bidding process for a UW System Authority project, it would do so at no cost to the Authority.

Delete language requiring the Board to prescribe bidding procedures to be used for building projects for which DOA does not conduct the bidding process. Under current law, the Board is required to submit its proposed bidding procedures to the Building Commission and the Joint Committee on Finance for review and approval and both the Building Commission and the Joint Finance Committee have approved the Board's bidding procedures.

Delete language making the DOA responsible for UW System leases and delete the exemption from DOA bidding for construction work performed by UW System students that is part of a curriculum and where the work is course-related for the students involved.

[Bill Sections: 36, 56, 232, 357, 364 thru 366, 375, 377, 379, 392, 393, 1146, 1199, and 3578]

40. DELETE ELIGIBILITY FOR DOA ENERGY CONSERVATION PROJECTS

Governor: Provide that the UW System Authority would not be eligible to receive funding for energy conservation projects from the Department of Administration. Under current law, the UW System may receive funding for such projects due to its status as a state agency.

[Bill Section: 359]

41. AGREEMENTS WITH UW HOSPITALS AND CLINICS AUTHORITY

Governor: Require that the Board of Regents carry out its obligations under the lease and affiliation agreements with the UW Hospitals and Clinics Authority that are currently in effect. Specify that, except for the lease between the UW System Authority and the state, any lease by

the Board would be subject to the powers of the UW Hospitals and Clinics Authority under current law to construct and improve facilities on state-owned land and the rights of the UW Hospital and Clinics Authority under the lease agreement with the Board. Specify that any modification, extension, or renewal of the lease or affiliation agreement would require approval of the Joint Committee on Finance, as under current law. In the case that JFC does not approve an extension or renewal of either of the agreements, the on-campus facilities and any improvements, modifications, or other facilities would transfer to the Board of Regents, as under current law.

[Bill Section: 1146, 1179, and 1180]

42. COMPLIANCE OF BUILDING PROJECTS WITH STATE CODE, EXEMPTION FROM MUNICIPAL ORDINANCES AND REGULATIONS

Governor: Require that every building, structure, or facility constructed for the benefit or use of the UW System Authority be in compliance with all applicable state laws, rules, codes, and regulations. Specify that such construction would be exempt from the ordinances or regulations of the municipality in which it takes place except zoning. As a state agency, the UW System is subject to this requirement and exemption under current law.

[Bill Section: 44]

43. INVENTORY OF REAL PROPERTY

Governor: Require the UW System Authority to submit to DOA by January 1 of each even-numbered year an inventory of all real property under its jurisdiction and to specifically identify any underutilized assets in the inventory as all state agencies, including the UW System, are required to do under current law. Consistent with current law, the UW System Authority would not be required to submit an estimated fair market value for each property.

[Bill Section: 46]

44. PROCUREMENT AUTHORITY

Governor: Provide that, for the purpose of procurement, the UW System Authority would be treated as a municipality instead of as a state agency as under current law. As a municipality, the UW System Authority would not be subject to state law regarding procurement by state agencies. Under the bill, DOA would be able to enter into cooperative purchasing agreements with the UW System Authority and the UW System Authority would be able to enter into purchasing agreements with other municipalities. DOA would also have the authority to assess the UW System Authority for any procurement services provided to the Authority.

Provide that the UW System Authority would also be exempt from the following provisions which apply to authorities other than the UW Hospitals and Clinics Authority and the Lower Fox River Remediation Authority under current law: (a) incorporate in purchasing

specifications requirements for the purchase of products made from recycled or recovered materials if their use is technically and economically feasible; (b) incorporate in purchasing specifications requirements related to recyclability and ultimate disposition of products and, wherever possible, write the specifications so as to minimize the amount of solid waste generated; (c) award orders and contracts for materials, supplies, or equipment on the basis of life cycle costs estimates; (d) make purchasing selections to maximize the purchase of materials utilizing recycled and recovered materials; and (e) ensure that the average recycled or recovered content of all paper purchased, as a proportion, by weight, is not less than 40% of all purchased paper.

Provide that, as an authority, the UW System Authority would be required to do the following: (a) purchase energy consuming equipment costing more than \$5,000 per unit and of a type for which DOA has prescribed applicable standards only if the specifications meet the applicable standards or, if such equipment is not reasonably available, ensure that the equipment purchased maximizes energy efficiency to the extent technically and economically feasible; and (b) not enter into any contract or order for the purchase of materials, supplies, equipment, or contractual services with a person who the Secretary of the Department of Revenue certifies as not collecting and remitting sales and use taxes.

Provide that all contracts executed by the UW System Authority would include a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation, or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities. Provide that the UW System Authority would be primarily responsible for obtaining compliance by contractors with the nondiscrimination and affirmative action provisions required by law and that DOA may delegate to the UW System Authority the responsibility to investigate alleged violations of these provisions. If the UW System Authority determines that there has been a violation of the nondiscrimination and affirmative action provisions, the UW System Authority would do all of the following: (a) immediately inform the violating party of the violation; (b) direct the violating party to take action necessary to halt the violation; (c) direct the violating party to take action necessary to correct, if possible, any injustice to any person adversely affected by the violation; and (d) direct the violating party to take immediate steps to prevent further violations and to report its corrective actions.

Under current law, contracting agencies, the UW Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin Economic Development Corporation, and the Bradley Center Sports and Entertainment Corporation are required to include nondiscrimination and affirmative action provisions as described above in all contracts, are primarily responsible for obtaining compliance by contractors with those provisions, and, in the case of the violation of those provisions, are required to do (a) through (d) as described above.

[Bill Sections: 317, 320, 321, 322, 327 thru 332, 335, 343 thru 345, 347 thru 353, 355, 420, 422, 1181, and 4589]

45. TRAVEL POLICIES

Governor: Delete a current law provision exempting UW officers and employees from DOA travel policies. As an authority, the UW System Authority would not be subject to DOA travel policies.

[Bill Sections: 232 and 895]

46. PARTICIPATION IN RISK MANAGEMENT PROGRAMS

Governor: Provide that UW System Authority could participate in the risk management programs coordinated by DOA, except that DOA would not be required to arrange for worker's compensation insurance for the UW System Authority. Specify that if the UW System Authority would elect not to participate in the risk management programs coordinated by DOA in any fiscal year, it would have to provide written notification to DOA by July 1 of the preceding fiscal year and that nonelection would have to be approved by DOA. If approved, the UW System would not participate in the risk management programs coordinated by DOA in subsequent years unless it provides written notice to DOA by July 1 of the preceding fiscal year that it elects to participate in those programs and DOA approves that election. Authorize the Board to procure insurance against loss in connection with the Authority's property and other assets.

Delete a current law provision prohibiting the Board of Regents from using GPR to pay for insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics.

[Bill Sections: 380 thru 382, 384 thru 386, 388, 389, 796, 797, 1155, and 1156]

47. EXEMPT UW SYSTEM AUTHORITY FROM STATE PRINTING LAW

Governor: Provide that the UW System Authority would not be subject to state law related to state printing contracts. Under current law, the Department of Administration is, in general, responsible for printing UW System materials except for printing published by UW System students that is funded solely from student fees or student organization income and printing jobs costing less than \$50.

[Bill Sections: 1102 thru 1104]

48. OVERSIGHT OF INFORMATION TECHNOLOGY (IT) PROJECTS

Governor: Modify the current law requirement that the Board of Regents submit a report regarding IT projects within the UW System to the Joint Committee on Information Policy and Technology (JCIPT) annually by March 1 and September 1 to specify that the report should only include information regarding IT projects that are funded, in whole or in part, with GPR and that have actual or projected costs of greater than \$1,000,000. Under current law the Regents are required to report on all IT projects that have actual or projects costs of greater than \$1,000,000

or that have been identified by the Board as being large, high-risk IT projects regardless of the source of funds for the project.

Delete the authority of JCIPT to review UW System IT projects identified in the report described above to determine whether the project should be continued or implemented and delete the authority of JCIPT to forward recommendations regarding such projects to the Governor and Legislature. In addition, delete the authority of JCIPT to direct the Board of Regents to prepare and submit additional reports to that committee.

Delete the requirement that the UW System, each UW institution, and each UW Colleges campus submit annually to the Board of Regents a strategic plan for the utilization of information technology. Delete the requirement that the Board of Regents consult with the JCIPT in providing guidance for planning by the UW System, UW institutions, and UW Colleges campuses. Delete the requirement that the Board of Regents develop and adopt written policies for IT development projects that either exceed \$1,000,000 or that are vital to the functions of the UW System, UW institutions, and UW Colleges campuses.

Delete the requirement that the Board of Regents submit an annual report to the Governor and JCIPT documenting the use by the UW System, each UW institution, and each UW Colleges campus of master leases to fund IT projects in the previous fiscal year.

Delete the requirement that the Board of Regents, the UW System, each UW institution, and each UW Colleges campus include in each contract with an IT vendor that involves a large, high-risk IT project or that has a projected cost of greater than \$1,000,000 a stipulation requiring the vendor to submit to the Board for approval any order or amendment that would change the scope of the contract and have the effect of increasing the contract price.

Delete the requirement that the UW System, each UW institution, and each UW Colleges campus that has entered into an open-ended contract for the development of IT to submit to the Board quarterly reports documenting the amount expended on the IT development project. Delete the requirement that these quarterly reports be compiled and submitted annually to JCIPT.

Delete the requirement that the Board of Regents promulgate all of the following: (a) a definition of and methodology for identifying large, high-risk information technology projects; (b) standardized, quantifiable project performance measures for evaluating large, high-risk information technology projects; (c) policies and procedures for routine monitoring of large, high-risk IT projects; (d) a formal process for modifying IT project specifications when necessary to address changes in program requirements; (e) requirements for reporting changes in estimates of cost or completion date to the Board of Regents and JCIPT; (f) methods for discontinuing projects and modifying projects that are failing to meet performance measures in such a way to correct performance problems; (g) policies and procedures for the use of master leases to finance new, large, high-risk IT system costs and maintain current large, high-risk IT system; (h) a standardized progress point in the execution of large, high-risk IT projects at which time the estimated costs and date of completion of the project is reported to the Board and JCIPT; (i) a requirement that the UW System, each UW institution, and each UW Colleges campus review commercially available IT products prior to initiating work on a customized IT development project to determine whether any commercially available product could meet the IT

needs of the UW System, UW institution, or UW Colleges campus; (j) procedures and criteria to determine when a commercially available IT product must be used and when the UW System, UW institution, or UW Colleges campus may consider the modification or create of a customized IT product; and (k) a requirement that the UW System, each UW institution, and each UW Colleges campus submit for approval by the Board prior to initiating work on a customized IT product a justification for the modification or creation by the UW System, UW institution, or UW Colleges campus of a customized IT product.

Delete language excluding the Board of Regents from DOA oversight of IT and telecommunications and assessments for these services. As an authority, the UW System would continue to be exempt from DOA oversight and assessments in these areas.

In addition, delete the requirement that the Board of Regents collect and maintain data necessary to calculate numerical measures of the efficiency and effectiveness of the mainframe computer services provided by the Board at UW-Madison.

[Bill Sections: 58, 59, 399, 402 thru 410, 412 thru 418, 1121, 1307 thru 1321, and 3575]

49. ACCESS BY THE LEGISLATIVE FISCAL BUREAU

Governor: Provide that the Legislative Fiscal Bureau would have access to the UW System Authority at all times, with or without notice, and to any books, records, or other documents related to expenditures, revenues, operations, and structure maintained by the UW System Authority. Under current law the Fiscal Bureau has this access to the UW System due to its status as a state agency.

[Bill Section: 74]

50. ACCESS AND AUDITS BY THE LEGISLATIVE AUDIT BUREAU

Governor: Provide that the UW System Authority would be considered a state department for the purpose of access and audits by the Legislative Audit Bureau. Under current law, the Audit Bureau has access to the UW System due to its status as a state agency. Specify that the Audit Bureau may review the procedures by which the UW System makes decisions and sets priorities or the manner in which such decisions and priorities are implemented within the UW System to the extent that such review is not inconsistent with the powers and duties of the UW System Authority Board of Regents. Under the bill, the Legislative Audit Bureau would continue to conduct the annual financial audit of the UW System Authority that it conducts under current law.

[Bill Sections: 64, 68, and 71]

51. DOA ACCESS TO UW SYSTEM AUTHORITY FINANCIAL INFORMATION

Governor: Provide that the Secretary of the Department of Administration (DOA) and

DOA employees as designated by the DOA Secretary would have the authority to do the following: (a) enter the offices of the UW System Authority; (b) examine the books and accounts of the UW System Authority and any other matter that in the DOA Secretary's judgment should be examined; and (c) interrogate UW System Authority employees publicly or privately regarding the books, accounts, and matters examined. Provide that the UW System Authority would be required to cooperate with the DOA Secretary and comply with every request of the DOA Secretary related to his or her functions.

Require the UW System Authority to provide to the DOA Secretary all information relating to its financial transactions requested by the DOA Secretary and to render such assistance in connection with the preparation of the state budget report, the budget bill, and in auditing accounts as required by the DOA Secretary or Governor. Provide that the DOA Secretary and his or her employees would have free access to all financial accounts of the UW System Authority and that the UW System Authority would be required to assist the DOA Secretary in preparing estimates of receipts and expenditures for inclusion in the state budget report. Require the UW System Authority to furnish information concerning anticipated revenues and expenditures as required by the DOA Secretary for effective control of state finances.

Under current law, the DOA Secretary has all of the authorities listed above and the UW System has all of the duties listed above due to the UW System's status as a state agency.

[Bill Sections: 234, 235, and 267]

52. EXEMPT RESEARCH AND STUDIES FROM PUBLIC INSPECTION

Governor: Provide that any authority may withhold from public inspection information in a record that is produced or collected by or for the faculty or staff employed by the UW System Authority in the conduct of, or as the result of, study or research on a commercial, scientific, or technical subject, until that information is publicly disseminated or patented. This provision would apply whether the research was sponsored by the UW System Authority alone or in conjunction with an authority or a private person.

Under current law this information is subject to the state public records law.

[Bill Section: 454]

53. TREATMENT OF THE AUTHORITY AS A STATE AGENCY IN CERTAIN AREAS

Governor: Provide that current law in the following areas that apply to the UW System due to its status as a state agency would also apply to the UW System Authority under the bill: (a) prohibition of political solicitation of UW officers or employees or in UW buildings; (b) cooperation with the Women's Council; (c) rules regarding the retention and maintenance of records; (d) oversight by the DOA's records management service and access to storage facilities

operated by that service; (e) DOA title to historically significant furnishings; (f) public use of facilities; (g) prohibition of the use of funds for the performance of abortion or to fund certain pregnancy programs; (h) state trail planning, coordination, and construction by the Department of Natural Resources; (i) applicability of the state storm water management plans and related local zoning ordinances; (j) release of ozone-depleting refrigerant; (k) prevailing wage rates and hours of labor; and (L) prohibition of well contamination or abandonment claims.

[Bill Sections: 9 thru 11, 245 thru 247, 308, 310 thru 315, 356, 358, 939, 942, 990, 1923, 1938, 1944, 1948, 3077, 3436, 3437, 4115, 4199, and 4205]

54. EXEMPT UW SYSTEM AUTHORITY FROM CERTAIN LAWS, RULES, AND PROCEDURES

Governor: Provide that the following laws, rules, and procedures that apply to the UW System as a state agency would not apply to the UW System Authority: (a) current law regarding the payment of interest by state agencies when an agency does not pay the amount due on an order or contract within a certain period of time; (b) current law requiring agencies to notify the sender of an improperly completed invoice of the reason it was improperly completed within 10 working days; (c) rules promulgated by the DOA regarding the surveillance of employees by state agencies; and (d) procedures prescribed by the DOA Secretary for the operation and maintenance of petty cash accounts and the character of expenditures therein. Delete the current law provision specifying that certification by the proper officers of the UW System Board of Regents be in all cases evidence of the correctness of an account for the purpose of audits by the DOA Secretary of claims against the state. Under the bill, the UW System Authority would not be considered part of the state and therefore would not be subject to audits by the DOA Secretary.

In addition, specify that the UW System Authority would not be required to participate in DOA's resource recovery and recycling program and that DOA would not be required, as under current law, to encourage the UW System Authority to do the following: (a) store gasohol and alternative fuel in facilities maintained by the Authority for the storage of fuel and the refueling of vehicles; and (b) reduce the usage of petroleum-based gasoline and diesel in vehicles by certain percentages set by law. Under current law, state agencies and certain authorities are required to participate in DOA's resource and recycling program and DOA encourages state agencies to do (a) and (b) above.

[Bill Sections: 239, 250, 253, 283, 291, 296, and 297]

55. EXEMPTION OF CERTAIN UW DOCUMENTS FROM STATE DOCUMENT DISTRIBUTION REQUIREMENTS

Governor: Delete the exemption for state documents published exclusively for public sale by presses established by the UW System or the state historical society and state documents sold primarily on a subscription basis from the state document depository library distribution requirements. Under current law agencies must deliver three copies of each state document that

is exempt from the state document depository library distribution to the Department of Public Instruction's Division for Libraries and Technology. These copies include one copy each for the State Historical Society and the Legislative Reference Bureau. The definition of state document includes publications that are supported wholly or partly by funds appropriated by the state but does not include any publication of a state agency intended to be used solely for internal purposes or only between state agencies. Because the proposed UW System Authority would only be appropriated GPR funding from the state, documents published by UW System presses and other documents published by the UW System and sold primarily on a subscription basis that are funded with revenues other than state GPR would not be state documents and would not be subject to the state document depository library distribution requirements.

[Bill Sections: 16 and 1105 thru 1107]

56. RELATIONSHIP WITH SWIB

Governor: Provide that the State of Wisconsin Investment Board (SWIB) would not have control of the investment of moneys held in UW trust funds as under current law. Delete language authorizing SWIB to give advice and assistance as requested by the UW System Board of Regents related to the investment of UW trust funds; to assign, sell, convey, and deed to the Regents any investments made by SWIB as may be mutually agreeable; and to charge the Regents for the cost of any services provided.

[Bill Sections: 1008 and 1011]

57. BOARD OF REGENTS APPROVAL OF COUNTY EXTENSION PROGRAMS

Governor: Provide that the establishment and maintenance of county extension programs by county boards and the provision of programming by county extension programs would be subject to the approval of the Board of Regents. Under current law, a county board may establish and maintain educational programs in cooperation with the University of Wisconsin without the approval of the Board of Regents. Similarly, the county committee on agriculture and extension education is responsible for formulating and executing the university extension program in cooperation with UW-Extension, but without the requirement for approval by the Board of Regents, under current law.

[Bill Sections: 1916, 1918, and 1919]

58. PSYCHIATRIC INSTITUTE

Governor: Transfer all property used by the Wisconsin Psychiatric Institute, except real property used by the institution and property of the UW Hospitals and Clinics, from the Board of Regents to the state. Specify that the Board of Regents would hold such property on behalf of the state for the use of the psychiatric research institute.

Under current law, all such property was transferred to the Board of Regents which holds

it for use by the psychiatric research institute.

[Bill Section: 1226]

59. RENEWABLE ENERGY GOAL WOULD NOT APPLY

Governor: Provide that renewable energy goals would not apply to the UW System Authority. Under current law, these goals apply to DOA, the Department of Corrections, the Department of Health Services, the Department of Public Instruction, the Department of Veterans Affairs, and the UW System. The most recent year for which a renewable energy goal was set was 2011.

[Bill Section: 346]

60. REVIEW OF RESEARCH CONTRACTS FOR CONFLICT OF INTEREST

Governor: Delete current law under Chapter 36 (University of Wisconsin System Authority) of the statutes that requires the Board of Regents to review research contracts submitted by the UW System to determine whether entering into the contract would constitute a violation of the state conflict of interest law. Current law requiring the Board to review such contracts for conflict of interest in another chapter of the statutes would be maintained except that the language would be modified to specify that a UW System employee or office responsible for evaluating and managing potential conflicts of interest would submit contracts for review by the Regents instead of the UW System as under current law.

[Bill Sections: 1202, 4725, and 4726]

61. DEFINITIONS OF ACADEMIC STAFF, FACULTY, AND CHANCELLOR

Governor: Modify the current law definitions of academic staff, faculty, and chancellor. Specify that the definition of academic staff would no longer exclude faculty as under current law. Provide that the definition of faculty members would include academic staff members designated by the Board of Regents, instead of by the chancellor and faculty of the institution as under current law. Specify that the definition of chancellor would be the chief executive of an institution, as under current law, or a similar position designated by the Board.

In addition, delete the definitions of classified staff and instructional academic staff.

[Bill Sections: 1114 and 1117 thru 1120]

62. APPOINTMENT TO THE PROFESSIONAL STANDARDS COUNCIL FOR TEACHERS

Governor: Provide that the Board of Regents, instead of the UW System President as under current law, would appoint a faculty member of a department or school of education in the

UW System to serve on the Professional Standards Council for Teachers under the Department of Public Instruction.

[Bill Section: 165]

63. DELETE THE REQUIREMENT THAT THE REGENTS SUBMIT A LIST OF UNCLASSIFIED APPOINTMENTS TO THE SECRETARY OF STATE

Governor: Delete the requirement that the Board of Regents submit annually to the Secretary of State a list of all positions outside the classified service and above the clerical level which are filled by appointment. Under current law, this list includes the name of the incumbent, the date of his or her appointment, and the term of the appointment, if there is one, and excludes members of the faculty.

[Bill Section: 95]

64. CLARIFY LANGUAGE REGARDING STUDENTS CALLED INTO ACTIVE MILITARY DUTY

Governor: Adopt language included in 2005 Act 470 regarding the treatment of students who withdraw from school because they are called into state active duty or active service with the U.S. Armed Services. That language was also affected by 2005 Act 324 and the language contained in the two acts is inconsistent. Under 2005 Act 470, the Board of Regents is required to reenroll students who withdraw from school because they are called in state active duty or active service with the U.S. Armed Services beginning in the semester in which the student is discharged, demobilized, or deactivated from active duty or the next succeeding semester, whichever the student prefers, and is required to give the student the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the registration period. Under 2005 Act 324, the Board of Regents is required to reenroll such students in the semester following the student's discharge from active duty or the next succeeding semester, whichever the student prefers. Act 324 does not specify that such students be given the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the registration period.

[Bill Section: 1196]

65. APPLICATION FOR ADMISSION OF HEARING OR VISUALLY IMPAIRED STUDENTS BY STATE SUPERINTENDENT

Governor: Provide that the State Superintendent of Public Instruction could apply to the UW System Authority for admission to the UW System Authority of any pupil at the school for the Deaf and Hard of Hearing or the school for the Blind and Visually Impaired. Specify that the application shall be accompanied by the report of a physician appointed by the director of the Wisconsin Educational Service Program for the Deaf and Hard of Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired and should be in the same form as reports

of other physicians for admission of patients to such hospital.

Under current law, the State Superintendent of Public Instruction can apply to the UW Hospitals and Clinics Authority for admission to the UW Hospitals and Clinics Authority of any pupil at the school for the Deaf and Hard of Hearing or the school for the Blind and Visually Impaired. Such an application must be accompanied by the report of a physician appointed by the director of the Wisconsin Educational Service Program for the Deaf and Hard of Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired and should be in the same form as reports of other physicians for admission of patients to such hospital.

[Bill Section: 3219]

66. ACQUISITION AND SALE OF HOSPITALS

Governor: Provide that no person may engage in the acquisition of a hospital or system of hospitals owned by the UW System Authority unless the person has first received review and approval of an application concerning the acquisition from the Attorney General, the Office of the Commissioner of Insurance, and the Department of Health Services. Provide that, to be approved by the Attorney General, an application regarding the acquisition of a hospital or system of hospitals owned by the UW System Authority would have to include a provision allowing the UW System Authority to retain the right of first refusal to repurchase the assets if the hospital is subsequently sold to, acquired by, or merged with another entity. Provide that the acquisition by the UW System Authority of a hospital or system of hospitals owned by a nonprofit corporation would be exempt from review and approval by the Attorney General, the Office of the Commissioner of Insurance, and the Department of Health Services.

[Bill Sections: 3505 thru 3507]

67. TRANSFER OF INFORMATION TO INSURERS

Governor: Provide that UW System Authority facilities would be treated as medical care institutions for the purpose of statutes governing the transfer of personal medical information to insurers.

[Bill Section: 4574]